

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 1570 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL and

MR.JUSTICE C.K.BUCH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

MOHAMBHAI VARDHAJ PURBIYA

Versus

STATE OF GUJARAT

Appearance:

MRS MADHUBEN SHARMA for Petitioner
PUBLIC PROSECUTOR for Respondent No. 1
SERVED BY DS for Respondent No. 4

CORAM : MR.JUSTICE B.C.PATEL and

MR.JUSTICE C.K.BUCH

Date of decision: 22/12/97

ORAL JUDGEMENT (Per Patel, J.)

Pursuant to the notice issued by this Court on 15.12.1997, the respondents have produced before us Varsha. On questioning, she has made the following statements before us:

"My name is Varsha Mohanlal Purbiya. I am major.

I got married with Hitesh. I left my parental house at my own sweet will, and after three days from the date of leaving my parental house, I got married with said Hitesh, and we are living as husband and wife happily. I am not under compulsion of anyone, and I am making these statements on my own free will. I am not under wrongful confinement of anyone."

We have also heard the learned advocates and the documents produced by them. Three workers of Jyothi Sangh who were present in the Court in connection with another case were also requested to inquire with the girl and even before them, she has disclosed that she has voluntarily married with Hitesh and there is no compulsion from anyone.

In the result, said Varsha is permitted to go wherever she likes. The petition is not required to be entertained any further, and stands rejected. Notice is discharged.

csm./ -----